

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA )

v. )

ABDIFITAH ADAN )

No. 3:10-CR-00260  
CHIEF JUDGE HAYNES

MOTION IN LIMINE # 2

*OPEN*  
*This motion*  
*is DENIED*

Comes now the Defendant, Abdifitah Jama Adan, through undersigned counsel, and respectfully submits as his Motion in Limine #2 that Exhibit Numbers 157 and 158 must be excluded as evidence in the upcoming trial in this matter.

The Defendant would respectfully state to the Court that Exhibits 157 and 158 (Discovery Number 033220-033364; 033226-033227) are Defendant Adan's "A-file" contain information indicating that the Defendant is a Somali "Refugee" and non-citizen, was arrested at the U.S. / Canadian border in 1999 and then, in 2004 arrested on a drug trafficking charge in the State of Ohio. The information contained in the Defendant's "A-File" is of no probative value apart from Count 22 — now severed from the case to tried.

The Defendant asserts that the evidence contained in his "A-File" - must be excluded from trial pursuant to Rule 401 of the Federal Rules of Evidence. Additionally, Defendant submits that even if this evidence is somehow "relevant" that,